

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER GRANTING MOTION FOR
)	RECONSIDERATION OF DETENTION
vs.)	ORDER
)	
Katherine Louise Rosario,)	Case No. 1:21-cr-235
)	
Defendant.)	

On March 11, 2022, defendant was ordered detained pending further order of the court. (Doc. No. 70). On May 11, 2022, defendant filed a motion requesting the court to reconsider its detention order. (Doc. No. 89). She advises that she has been accepted into an inpatient treatment program at the Keystone Treatment Center (“Keystone”) in Canton, South Dakota. She requests to be released on May 17, 2022, to travel to and participate in Keystone’s treatment program. She adds that the Good Road Recovery Center has arranged to transport her to Wahpeton, North Dakota, where she shall be met by a Keystone representative and transported to Keystone’s treatment facility.

The court grants defendant's motion (Doc. No. 89). Defendant shall be released no earlier than 7:00 a.m. on May 17, 2022, to a representative of the Good Road Recovery Center for transport to Wahpeton, where she shall be met by Keystone staff and transported to Keystone's facility in Canton, South Dakota. While on release, defendant shall comply with the following conditions:

- (1) Defendant shall not violate federal, state, tribal, or local law while on release.
- (2) Defendant shall appear in court as required and surrender for any sentence imposed.
- (3) Defendant shall report to the Pretrial Services Officer at such times and in such

manner as designated by the Officer.

- (4) Defendant shall refrain from the use of alcohol; any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner, and any use of inhalants. Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection progress or specimen may be considered the same as a positive test.
- (5) Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
- (6) Defendant shall reside at the Keystone Treatment Center's treatment facility, fully participate in its programming, and comply with all of its rules and regulations. Upon her arrival, she shall contact Pretrial Services Officer Bobby Wiseman at (701) 530-2404.
- (7) Defendant shall sign all releases of information requested by the Pretrial Services Officer so that her progress and participation in treatment may be monitored.
- (8) Defendant shall submit her person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of pretrial release. Defendant shall notify any other residents that the premises may be subject to searches pursuant to this condition.
- (9) Defendant shall not knowingly or intentionally have any direct or indirect contact

with her co-defendant, except that counsel for the defendant, or counsel's agent or authorized representative, may have such contact with such person(s) as is necessary in the furtherance of the defendant's legal defense.

- (10) At least four days prior to the completion of her treatment program, defendant shall contact the Pretrial Services Office so that it may evaluate the appropriateness of any proposed living arrangements. Upon her discharge from his treatment program, defendant shall reside at an address approved by the Pretrial Services Office and not change this address without the Pretrial Services Office's permission. If the Pretrial Services Office determines that defendant is in need of a placement in a residential facility, defendant shall report to the designated facility as directed and comply with the facility's rules and regulations. If a residential facility is not available, defendant shall report the United States Marshal's office in Bismarck with the understanding that she shall be detained pending further order of the court. If defendant is terminated from the treatment program prior to completing it, she shall report to the United States Marshal's office in Bismarck with the understanding that he shall be detained pending further order of the court.

If defendant is unable to travel to Keystone as planned on May 17, 2022, she shall return to the Heart of America Correctional and Treatment Center and be remanded into custody pending further order of the court.

IT IS SO ORDERED.

Dated this 12th day of May, 2022.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court